

Senate File 2098 - Introduced

SENATE FILE _____
BY BOLKCOM, CONNOLLY, STEWART,
KREIMAN, SCHMITZ, DOTZLER,
HOGG, DVORSKY, and HECKROTH

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to recycling waste oil filters, establishing
2 fees, and making an appropriation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5771SS 82
5 tw/nh/14

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1 1 Section 1. Section 455D.13, Code 2007, is amended to read
1 2 as follows:

1 3 455D.13 LAND DISPOSAL OF WASTE OIL PROHIBITED ==
1 4 COLLECTION.

1 5 1. A sanitary landfill shall not accept waste oil for
1 6 final disposal ~~beginning July 1, 1990.~~ Beginning July 1,
1 7 2008, a sanitary landfill shall not accept waste oil filters
1 8 or oil=contaminated material for final disposal.

1 9 2. A person offering for sale or selling oil or oil
1 10 filters at retail in the state shall do the following:
1 11 a. Accept at the point of sale, waste oil, waste oil
1 12 filters, and oil=contaminated material from customers, or post
1 13 notice of locations where a customer may dispose of waste oil,
1 14 waste oil filters, and oil=contaminated material.

1 15 b. Post written notice that it is unlawful to dispose of
1 16 waste oil, waste oil filters, or oil=contaminated material in
1 17 a sanitary landfill.

1 18 3. As used in this section, "oil=contaminated material"
1 19 means the same as defined in section 455D.13A.

1 20 Sec. 2. NEW SECTION. 455D.13A WASTE OIL FILTER
1 21 RECYCLING.

1 22 1. As used in this section, unless the context otherwise
1 23 requires:

1 24 a. "Collection site" means a vendor, waste oil filter
1 25 generator, waste oil collector, waste oil filter collector,
1 26 waste oil filter recycler, sanitary landfill, or salvage yard
1 27 that accepts waste oil filters from a person.

1 28 b. "Oil=contaminated material" means material, containing
1 29 or otherwise contaminated by waste oil, from which the waste
1 30 oil has been properly drained or removed to the extent that no
1 31 visible signs of free-flowing oil remain on the material.

1 32 c. "Recycling" means any process by which waste, or
1 33 materials which would otherwise become waste, are collected,
1 34 separated, or processed and revised or returned to use in the
1 35 form of raw materials or products.

2 1 d. "Vendor" means a person offering for sale or selling
2 2 oil or oil filters.

2 3 e. "Waste oil collector" means a person who accepts waste
2 4 oil or waste oil filters from a collection site, waste oil
2 5 filter generator, or waste oil filter collector, extracts
2 6 waste oil, and delivers the waste oil filters to a waste oil
2 7 filter recycler, sanitary landfill, or salvage yard.

2 8 f. "Waste oil filter collector" means a person who
2 9 collects waste oil filters from collection sites for transport
2 10 to a salvage yard, waste oil filter recycler, or waste oil
2 11 collector.

2 12 g. "Waste oil filter generator" means a person whose
2 13 activities produce waste oil filters.

2 14 h. "Waste oil filter recycler" means a person who
2 15 processes waste oil filters by dismantling or compacting and
2 16 cleaning away oil residue by a chemical or pyrolysis process
2 17 and recycles the component materials.

2 18 2. A waste oil filter collector or waste oil collector

2 19 that collects waste oil filters shall do all of the following:
2 20 a. Identify in writing any waste oil collector, waste oil
2 21 filter recycler, or salvage yard to which the oil filters are
2 22 delivered.
2 23 b. Provide a bill of lading for any waste oil filter
2 24 collected which shall include a statement identifying any end
2 25 buyer of waste oil filters or the recycled oil filter
2 26 components including the waste oil.
2 27 3. A vendor and a collection site shall post written
2 28 notice identifying all waste oil filter collectors and waste
2 29 oil filter recyclers servicing the vendor or collection site.
2 30 4. A waste oil collector or waste oil filter recycler
2 31 shall report annually to the department any buyer of waste oil
2 32 filters or recycled components.
2 33 5. A bill of lading document shall be kept on file by a
2 34 vendor, waste oil collector, waste oil filter collector, or
2 35 waste oil filter recycler for a period of five years.
3 1 6. A collection site shall be registered through a
3 2 permitting process administered by the department. The
3 3 department may charge a permitting fee not to exceed fifty
3 4 dollars per year. The department shall retain the permitting
3 5 fees received by the department under this subsection and such
3 6 fees are appropriated to the department for administration and
3 7 enforcement of this section and educational activities related
3 8 to oil filter recycling.
3 9 7. A collection site may charge a recycling fee not to
3 10 exceed one dollar and fifty cents per waste oil filter
3 11 received by the collection site.
3 12 8. A vendor, waste oil filter generator, waste oil
3 13 collector, waste oil filter collector, or waste oil filter
3 14 recycler shall comply with all rules and regulations of the
3 15 commission relating to the collection, transportation,
3 16 storage, and handling of waste oil and waste oil filters.
3 17 9. A collection site, waste oil filter generator, waste
3 18 oil collector, waste oil filter collector, or waste oil filter
3 19 recycler shall give preference to an Iowa-based business when
3 20 the price for waste oil filter-related goods and services is
3 21 within ten percent of the price offered by a business based
3 22 outside the state.
3 23 10. The commission shall adopt rules pursuant to chapter
3 24 17A necessary to carry out the provisions of this section.

3 25 EXPLANATION

3 26 This bill relates to the recycling of waste oil filters.
3 27 The bill prohibits the land disposal of waste oil filters
3 28 beginning July 1, 2008. The bill also provides that the
3 29 notice and collection requirements for waste oil filters are
3 30 the same as for waste oil.
3 31 The bill provides that a waste oil filter collector or
3 32 waste oil collector that collects waste oil filters shall
3 33 identify in writing any waste oil collector, waste oil filter
3 34 recycler, or salvage yard to which the oil filters are
3 35 delivered and provide a bill of lading for any waste oil
4 1 filter collected which shall include a statement identifying
4 2 any end buyer of waste oil filters or the recycled oil filter
4 3 components including the waste oil. The bill provides that a
4 4 bill of lading document shall be kept on file by a vendor,
4 5 waste oil collector, waste oil filter collector, or waste oil
4 6 filter recycler for a period of five years.
4 7 The bill provides that a vendor and a collection site shall
4 8 post written notice identifying all waste oil filter
4 9 collectors and waste oil filter recyclers servicing the vendor
4 10 or collection site. The bill provides that a waste oil
4 11 collector or waste oil filter recycler shall report annually
4 12 to the department of natural resources any buyer of waste oil
4 13 filters or recycled components.
4 14 The bill provides for a permitting process administered by
4 15 the department of natural resources to register collection
4 16 sites. The bill provides that the department may charge a
4 17 permitting fee not to exceed \$50 per year. The bill provides
4 18 that the permitting fees shall be retained by the department
4 19 and are appropriated to the department for administration and
4 20 enforcement of the waste oil filter recycling provisions and
4 21 educational activities related to oil filter recycling.
4 22 The bill provides that a collection site may charge a
4 23 recycling fee not to exceed \$1.50 per waste oil filter
4 24 received by the collection site.
4 25 The bill provides that a collection site, waste oil filter
4 26 generator, waste oil collector, waste oil filter collector, or
4 27 waste oil filter recycler shall give preference to an Iowa=
4 28 based business when the price for waste oil filter-related
4 29 goods and services is within 10 percent of the price offered

4 30 by a business based outside the state.
4 31 LSB 5771SS 82
4 32 tw/nh/14